

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

MONA DOBRICH, et al.,

Plaintiffs,

v.

HARVEY L. WALLS, et al,

Defendants.

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C.A.No. 05-120-JJF

**DEFENDANT REGINALD L. HELMS' MOTION FOR SUMMARY JUDGMENT ON
THE BOARD'S VOLUNTARY PRAYER POLICY AS WRITTEN**

Pursuant to Fed.R.Civ.P. 56, for the reasons stated in the accompanying Opening Brief, and there being no disputed issue of material fact, defendant Reginald L. Helms Moves that the Court issue an Order granting him summary judgment and finding that -

(1) As a matter of law, the Indian River School Board's voluntary prayer Policy as written does not violate the First Amendment to the United States Constitution.

Respectfully Submitted,
THE NEUBERGER FIRM, P.A.

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Dated: August 5, 2005

Of Counsel

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ORDER

There being no material issue in dispute, pursuant to Fed.R.Civ.P. 56, the Court grants summary judgment in favor of defendant Reginald L. Helms on the voluntary prayer policy, as written, as challenged in the Complaint. This _____ day of _____, 2005, it is hereby Ordered that-

(1) As a matter of law, the Indian River School Board's voluntary prayer Policy as written does not violate the First Amendment to the United States Constitution.

Judge Joseph J. Farnan, Jr.

CERTIFICATE OF SERVICE

I, Stephen J. Neuberger, being a member of the bar of this Court do hereby certify that on August 5, 2005, I electronically filed this **Motion** with the Clerk of the Court using CM/ECF which will send notification of such filing to the individuals by the means indicated:

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